

ENTWISTLE & CAPPUCCI LLP

500 W. 2ND STREET, SUITE 1900-16
AUSTIN, TEXAS 78701
TELEPHONE: (512) 710-5960
FACSIMILE: (212) 894-7272

ROBBINS GELLER RUDMAN & DOWD LLP

655 WEST BROADWAY, SUITE 1900
SAN DIEGO, CALIFORNIA 92101
TELEPHONE: (619) 231-1058
FACSIMILE: (619) 231-7423

September 29, 2023

VIA ECF

The Honorable George C. Hanks, Jr.
United States District Judge
United States Courthouse
515 Rusk Street, Room 6206
Houston, Texas 77002

Re: *In re Alta Mesa Resources, Inc. Securities Litigation*, Case No. 19-CV-00957

Dear Judge Hanks:

To justify what he now concedes is essentially a motion for reconsideration of the Court's April 2021 Opinion and Order (Dkt. 160), Mr. Dimitrievich implies in his Reply, for the first time in 29 months, that this Court made errors of law in denying his motion to dismiss. (Dkt. 468 at p.2 (citing *Humphrey v. United Way of Tex. Gulf Coast*, 2010 WL 4791486 (S.D. Tex. Nov. 15, 2010)). Rather than burden the Court with a request for additional briefing to address these new and belated arguments, we simply note that: (1) Mr. Dimitrievich fails to identify any specific error of law for the Court to "reconsider"; and (2) *Humphrey*, the only case cited by Mr. Dimitrievich for this proposition, is inapposite for the simple reason that the *Humphrey* Court acknowledged it revisited an issue because it had previously overlooked certain contrary case law. No such mistake exists here, and Dimitrievich's vague suggestion to the contrary more than two years after this Court's denial of his motion to dismiss in the Class case does nothing to rescue his motion.

Respectfully submitted,

/s/ Andrew J. Entwistle

Andrew J. Entwistle
Texas Bar No. 24038131
Attorney-in-Charge
ENTWISTLE & CAPPUCCI LLP
500 W. 2nd Street, Suite 1900-16
Austin, TX 78701
(512) 710-5960
aentwistle@entwistle-law.com

Court-Appointed Class Counsel

/s/ Trig Smith

Trig Smith (*pro hac vice*)
**ROBBINS GELLER RUDMAN
& DOWD LLP**
655 West Broadway, Suite 1900
San Diego, CA 92101
(619) 231-1058
TrigS@rgrdlaw.com

Court-Appointed Class Counsel